



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 5, 2004

ITEM NUMBER:

SUBJECT: REFUND OF CASH DEPOSIT - ENCROACHMENT PERMIT NO. PS03-00634 FOR STREET IMPROVEMENTS AT 708 RANDOLPH AVENUE, COSTA MESA, CALIFORNIA

DATE: MARCH 25, 2004

FROM: PUBLIC SERVICES/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, (714)-754-5343

RECOMMENDATION:

Refund the cash deposit in the amount of \$9,909.48 to The Lab (Developer), 709 Randolph Avenue, Costa Mesa, California 92626.

BACKGROUND:

On June 23, 2003, the Planning Commission approved a development application (PA-03-15) to allow paving and landscaping of two adjoining properties for use as an offsite parking lot for a commercial business. The Engineering Division's requirements for this permit included a \$9,909.48 cash deposit as a guarantee for the construction of street improvements, including a driveway approach, curb and gutter, sidewalk, and a parkway drain. The deposit was received and accepted by the Finance Department on December 18, 2003.

ANALYSIS:

All Engineering Division's conditions of development for the project have been met and the work has been completed and accepted by the Public Services Department.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be to retain the cash deposit. Costa Mesa Municipal Code Section 15-32 states, "The condition of said bond (or cash deposit) shall be that the applicant will perform the work authorized by any permit issued pursuant to this chapter in a good and workmanlike manner and to the satisfaction of the City Engineer." These conditions have been met; therefore, retention of the cash deposit would be in violation of the Municipal Code.

FISCAL REVIEW:

Funds have been placed on deposit and are available for refund.

LEGAL REVIEW:

There is no legal review required on this item.

CONCLUSION:

All of the required improvements have been constructed by the Developer. Therefore, staff recommends that the cash deposit in the amount of \$9,909.48 be released and returned to The Lab.

Ernesto Munoz
City Engineer

William J. Morris
Director of Public Services

Marc R. Puckett
Finance Director

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